IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.2662 OF 2005

Sunil Kumar Marwah ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.S.P.Bharti for petitioner.

Mr.P.S.Jetly with C.J.Joy for respondents.

CORAM : V.C. DAGA AND J.P.DEVADHAR, JJ.

DATED : 27TH OCTOBER, 2005.

P.C. :-

1. Rule, returnable forthwith.

2. Mr.P.S.Jetly waives service for the respondents.

3. Heard. During the course of hearing, counsel for the rival parties submitted that the orders impugned in the petition dated 28/03/2003, 15/09/2004 and 14/06/2005 be set aside by consent of the parties, without examining the merits and demerits of the order dispensing with the reasons since none of the orders

are in consonance with the principles of natural justice for want of reasons.

4. In view of the above, the impugned orders dated 28/03/2003, 15/09/2004 and 14/06/2005 incorporated at Exhibits G, I and N respectively in the petition are quashed and set aside. The proceedings are remanded back to the respondent No.2 The Commissioner of Customs (Gen.) Personal and Esstt. Dept (CHA), New Customs House, Mumbai with directions to rehear the petitioner and to decide his representations by a reasoned order, as expeditiously as possible and at any rate within 3 weeks from today.

5. Petition accordingly stands disposed off. Rule is made absolute in terms of the above order with no order as to costs.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)